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July 12, 2019

Hon. George B. Daniels
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *In re M/V MSC FLAMINIA* – Master File: SDNY No. 12 Civ. 8892 (GBD)

Dear Judge Daniels,

We are the attorneys for Conti 11. Container Schiffahrts-GMBH & Co. KG MSC "FLAMINIA" ("Conti") and NSB Niederelbe Schiffahrtsgesellschaft MBH & Co. KG ("NSB"), the owner and operator of the M/V MSC FLAMINIA, respectively. Conti and NSB are Plaintiffs in the subject limitation action pending in the Southern District of New York and Appellees in the related appellate proceedings pending in the Second Circuit (ECF 2d Cir. case no. 18-2974). This joint letter is respectfully submitted on behalf of all the parties to provide you with an update and proposed civil case management plan.

We write to confirm that Rule 26 disclosures on damages were exchanged between the parties by June 7, 2019, pursuant to the deadlines set forth in our April 1, 2019 letter (ECF #1633), which were "So-Ordered" (ECF#1634). Moreover, we now respectfully submit the attached proposed civil case management plan for Your Honor's consideration.

Montgomery McCracken Walker & Rhoads LLP

July 12, 2019

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If there are any questions, please do not hesitate to contact us. Otherwise, we thank you in advance for your consideration, and look forward to the court conference scheduled for the morning of July 16, 2019.

Respectfully submitted,

MONTGOMERY MCCRACKEN
WALKER & RHOADS, LLP

/s/ Timothy Semenoro

Eugene J. O'Connor
Timothy Semenoro

CC by ECF to all counsel of record

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE M/V MSC FLAMINIA

MASTER FILE:

12 Civ. 8892 (GBD) (HBP)

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THIS DOCUMENT RELATES TO:
ALL ACTIONS

**CIVIL CASE MANAGEMENT PLAN
AND SCHEDULING ORDER**

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After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure. The plan is as follows:

1. Document requests shall be served by all parties on or before **July 19, 2019**, and documents responsive to same shall be produced to the extent not objected to, and objections, if any, shall be stated on or before **September 20, 2019**.
2. Interrogatories shall be served by all parties on or before **July 19, 2019**, and responses to same shall be produced on or before **September 20, 2019**.
3. Contention Interrogatories shall be served on or before **February 28, 2020**, and responses to same shall be produced on or before **April 3, 2020**.
4. Depositions of fact witnesses shall be completed by **April 3, 2020**.
5. The parties shall disclose expert witnesses, including expert reports and underlying documents, on or before **May 29, 2020**, and any rebuttal expert witnesses, including expert reports and underlying documents, on or before **July 17, 2020**.
6. Depositions of expert witnesses shall be completed on or before **October 16, 2020**.
7. All dispositive motions are to be filed by **December 13, 2020**, with answering papers to be filed by **January 3, 2021**, and reply papers to be filed by **January 17, 2021**.

Dated: July ____, 2019
New York, New York

SO ORDERED:

Honorable George B. Daniels
United States District Judge

/s/ Timothy Semenoro

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